

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 7893**

**BILL NUMBER:** SB 480

**NOTE PREPARED:** Feb 14, 2005

**BILL AMENDED:**

**SUBJECT:** Election Administration Issues.

**FIRST AUTHOR:** Sen. Landske

**FIRST SPONSOR:**

**BILL STATUS:** 2<sup>nd</sup> Reading - 1<sup>st</sup> House

**FUNDS AFFECTED:** X **GENERAL**  
**DEDICATED**  
**FEDERAL**

**IMPACT:** State

**Summary of Legislation:** The bill provides that personal service upon an individual in a state recount or contest proceeding is not required if the individual's attorney has filed an appearance with the Election Division and is provided with service. The bill makes the provision imposing the 1% requirement to determine the amount of the cash deposit needed for a recount consistent for both petitions and cross-petitions. The bill permits certain parties to a recount or contest to file a joint motion to dismiss before the completion of the recount or contest. The bill specifies that recounts and contests may be conducted and votes counted for an office only in a precinct within the election district for the office.

The bill amends statutes relating to impoundment of records and equipment by order of the State Recount Commission. The bill provides that the State Recount Commission's authority, in case of fraud or misconduct, to order that none of the ballots cast in a precinct be counted applies to ballots cast by any voting method. The bill eliminates the requirement that the Governor and the Lieutenant Governor take the oath of office in the presence of both houses of the general assembly. The bill removes certain obsolete references. The bill repeals a provision stating that the law relating to the administrative complaint procedure under the Help America Vote Act applies after December 31, 2003.

**Effective Date:** Upon passage; July 1, 2005.

**Explanation of State Expenditures:** *Election Division:* Under the bill, the Election Division would no longer be required by statute to prepare and distribute paper ballots for election or retention of persons to federal or state offices or for public questions. This provision would present a minimal savings for the Election Division.

*Background Election Division:* There is one remaining lever machine county for which the state currently produces paper ballots. However, under the federal Help America Vote Act (HAVA) the lever machine systems in the county will likely be replaced by 2006. The state does continue to print ballots for counties that do not produce optical scan ballot cards for absentee voters.

The Election Division had printing costs of about \$260 for forms and \$2,200 for non-forms in FY 2004.

*State Police:* Under the bill, if an attorney has filed for an appearance that concerns a recount with the Election Division on behalf of a candidate, the Indiana State Police would be required to serve notice on the attorney for the candidate.

*Background State Police:* As of December 6, 2004, the Indiana State Police (ISP) had 1,882 total employees including 1,787 full-time, and 95 employees on leave. The ISP reverted \$2.7 M back to the state General Fund at the end of FY 2004.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** Indiana Election Division, Indiana State Police.

**Local Agencies Affected:**

**Information Sources:** *State of Indiana HRM Detail Staffing Report, December, 2004*; State Budget Agency: *FY2004 General and Rainy Day Fund Summaries*;

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